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October 7, 2003



Via Overnight Mail

Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary 9300 East Hampton Drive Capitol Heights, MD 20743

RE: CC Dkt. No. 94-129: Certification of Exemption from "Drop-Off" Requirement

Dear Ms. Dortch:

Epixtar Communications Corp. ("Epixtar"), by its undersigned counsel, hereby certifies that it qualifies for an exemption from the "drop-off" requirement set forth in 47 C.F.R Section 64.1120.

In its recent decision in CC Dkt. 94-129, the Commission established a new mechanism by which carriers' certifying as to their inability to comply with the "drop-off" rule will be exempt from that rule for a two-year period. See Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996; Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers, CC Docket No.94-129, Third Order on Reconsideration and Second Notice of Proposed Rulemaking, 68 Fed. Reg. 19152 & 19176 (rel March 17, 2003).

Due to technical limitations to the type of service available to Epixtar's marketing companies through their local exchange carriers, Epixtar's marketing representatives are unable to "drop-off" a call after a three way conference call is initiated. This precludes Epixtar from complying with the "drop-off" rule. A certification signed by Deborah Gambone, Corporate Counsel of Epixtar, is made in support of these statements under Section 1.16 of the Commission's rules is enclosed herewith

No. or Copies rec'd _____ List A B C D E Questions regarding this certification should be addressed to the undersigned. An additional copy of this letter has been enclosed to be date-stamped and returned in the envelope provided as evidence of the filing.

Sincerely,

Leon L. Nowalsky /h

Counsel for Epixtar Communications

Corp.

cc Nancy Stevenson, Federal Communications Commission Qualex International

Enclosure

CERTIFICATION

William Rhodes, Jr.

President, Epixtar Communications Corp.